

DEC 20 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISIONJULIA C. DUDLEY, CLERK
BY: *A. Seagle*
DEPUTY CLERKJOHN DOE,
Plaintiff,

v.

VIRGINIA POLYTECHNIC INST.
& STATE UNIV., et al.,
Defendants.

Case No. 7:21-cv-00378

By: Michael F. Urbanski
Chief United States District JudgeORDER

This matter is before the court on plaintiff John Doe's motion for leave to proceed under a pseudonym, ECF No. 2; defendant Virginia Tech's motion to dismiss for lack of jurisdiction, ECF No. 10; and defendant Virginia Tech's motion to dismiss for failure to state a claim, ECF No. 12. For the reasons set forth on the record during the December 14, 2021 hearing, the court **TAKES UNDER ADVISEMENT** Doe's motion to proceed under a pseudonym and **GRANTS in part and DENIES in part** Virginia Tech's motion to dismiss for lack of jurisdiction. Furthermore, the court **GRANTS** Virginia Tech's motion to dismiss for failure to state a claim in its entirety. However, the court **GRANTS** Doe leave to amend his complaint. Doe must file an amended complaint within twenty (20) days of the December 14, 2021 hearing. As such, Doe's amended complaint must be filed by January 3, 2022, and Virginia Tech's responsive pleading, if any, must be filed by January 24, 2022.

It is so **ORDERED**.

Entered: 12/20/2021

A handwritten signature in blue ink, appearing to read 'M. Urbanski', with a long horizontal flourish extending to the right.

Michael F. Urbanski
Chief United States District Judge